WPSS_144_2000

Hon. P.C. Verma, J.

Heard learned counsel for the petitioner as well as learned Standing Counsel.

From the perusal of the counter affidavit it is revealed that there are ten sanctioned posts in lecture grade in the institution. Out of there ten posts, 5 posts are to be filled by direct recruitment and 5 posts are to be filled from amongst the L.T. grade teachers in view of the relevant Rules. It is further revealed from the perusal of the counter affidavit six posts have been filled by direct recruitment by the committee of management. Therefore, the appointment made in excess than the quota in violation of the relevant Rules by making appointment against the post which reserved for promotion quota. The right of the petitioner has been hampered. The learned counsel for the petitioner submits that one post is vacant against which the petitioner can be appointed. The learned Standing Counsel submits that this post is reserved for S.C. Candidate and it cannot be filed by a general category candidate, therefore, it should be appropriate to direct the respondents is terminate one of the junior most person appointed against the post which was to be filled of promotion. The respondents are directed accordingly and they are directed to consider the case of the petitioner for promotion to lectures grade within 15 days from the date of production of a certified copy of this order.

In view of the above direction the writ petition is disposed of.

(P.C. Verma, J.)

Dt.08.05.2001